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I hereby Certify that this Correspondence is being deposited with the United States Postal service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on October 10, 2001

Michelle M. Scordato

Name

Michelle M. Scordato

Signature

October 10, 2001

Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Greenwood et al.

Serial No.: 09/857,650; Based on PCT/GB99/04195

Filed: June 7, 2001

For: Method of Drying a Lactulose Solution

RESPONSE

Assistant Commissioner for Patents
Attention: Box Missing Parts
Washington, D.C. 20231

Sir:

Responsive to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office dated August 10, 2001 (copy enclosed), herewith is the executed Oath and Declaration. Also enclosed is the \$65 filing fee.

If any underpayment or overpayment has been made, please charge to Deposit Account No. 08-2442.

Respectfully submitted,

HODGSON RUSS LLP

10/19/2001 UEDUVIJE 00000011 09857650

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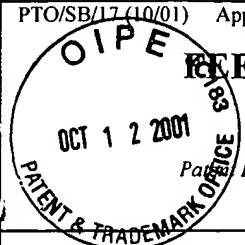
65.00 OP

By

Ranjana Kadle

Ranjana Kadle, Reg. No. 40,041

One M&T Plaza, Suite 2000
Buffalo, New York 14203
716) 848-1628
Dated: October 10, 2001



FREE TRANSMITTAL **for FY 2002**

Patent Fees are subject to annual revision.

Application Number 67,650

Filing Date June 7, 2001

First Named Inventor Greenwood et al.

Examiner Name

Group/Art Unit

Attorney Docket Number 18872.0105

TOTAL AMOUNT OF PAYMENT

(\$) 65.00

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 08-2442

Deposit Account Name:

Hodgson Russ LLP

3. ADDITIONAL FEES

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27.

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee

Code (\$) Code (\$)

Fee Description

Fee Paid

101 740 201 370 Utility filing fee

\$

106 330 206 165 Design filing fee

\$

107 510 207 255 Plant filing fee

\$

108 740 208 370 Reissue filing fee

\$

114 160 214 80 Provisional filing fee

\$

SUBTOTAL (1)

\$ 0

2. EXTRA CLAIM FEES

Extra Fee from
Claims below

Fee Paid

Total Claims / / -20** = / / x / / =

\$

Independent Claims / / - 3** = / / x / / =

\$

Multiple dependent / / x / / =

\$

Large Entity Small Entity

Fee Fee

Code (\$) Code (\$)

Fee Description

103 18 203 9 Claims in excess of 20

\$

102 84 202 42 Independent claims in excess of 3

\$

104 280 204 140 Multiple dependent claim if not paid

\$

109 84 209 42 **Reissue independent claims over original patent

\$

110 18 210 9 **Reissue claims in excess of 20 and over original patent

\$

SUBTOTAL (2)

\$ 0

SIGNATURE:

Ranjana Kadle

Ranjana Kadle

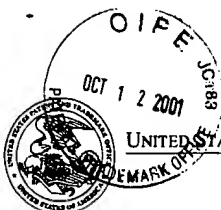
Reg. No. 40,041

DATE: October 10, 2001 Telephone: (716) 848-1628

*Reduced by basic filing fee paid

SUBTOTAL (3)

\$ 65



UNITED STATES PATENT AND TRADEMARK OFFICE

Due: 10/10/01
Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/857650	GREENWOOD	A 18872.065
HODGSON RUSS RANJANA KADLE HGL ONE M&T PLAZA SUITE 2000 BUFFALO, NY 14203 2391		INTERNATIONAL APPLICATION NO. PCT/GB99/04195
RECEIVED AUG 13 2001		I.A. FILING DATE 13 DEC 99
		PRIORITY DATE 11 DEC 98

DATE MAILED:

10 AUG 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
- | | |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input checked="" type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input type="checkbox"/> Other: |
| <input checked="" type="checkbox"/> Priority Document. | |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |
2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- | | |
|---|---|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---|---|
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- | | |
|--|--|
| <input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date. | |
| <input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation. | |
| <input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)). | |
| <input checked="" type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. | |
| <input type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917. | |
| <input checked="" type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)). | |
4. Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☐ PCT/DO/EO/920

Barbara A. Campbell